

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28879 of 2025

Arising Out of PS. Case No.-10 Year-2025 Thana- TARARI District- Bhojpur

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Ritesh Kumar @ Ritesh Kumar Yadav So Kamta Singh Resident of Village-
Tarari, P.S.- Tarari, District- Bhojpur Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Raju Kumar Singh, Advocate

For the Opposite Party/s : Mr.Ahmad Ali, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 12-05-2025 Heard Mr.Raju Kumar Singh, learned counsel for

the petitioner and Mr.Ahmad Ali, learned Additional Public

Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Tarari P.S. Case No.10 of 2025, dated 15.01.2025 registered for the offences punishable under Sections 191(2),191(3),115(2),132,324(5),324(4),352,326(f)of BNS.

3. The prosecution story, in brief, is that on the basis of the written report of Shri Lalteshwar Kumar, the Sub Inspector of Police of Tarari Police Station, an F.I.R. was lodged vide Tarari PS Case No. 10/2025 dt. 15.1.25 Under Sections 191 (2) (3), 115(2), (32, 324 (4) (5), 326(f) against twenty two persons including the petitioner and twenty unknown persons. In the F.I.R. the informant stated that on



15. 1. 2025 at 8. 48 he received information that one tractor driver dashed the motorcycle from which motorcycle rider died on the spot. Upon such information he lodged a Sanaha and for verification of information he along with police forces proceeded and reached at the place of occurrence the found that motorcycle rider bearing motorcycle no. BR24AN 2454 Mannu Sah aged about 20 years Son of Bindhyachal Sah resident of Village Kenchua, P.S. Karakat, District Rohtas died on the spot. Due to the alleged occurrence local villager became aggressive and blocked the road and abused from which entire Traffic was stopped. The local people created obstacle while the police wanted to do his duty according to law. The local people set fire the Mahindra Tractor bearing Model No. B375 DI TOMKMDLX, Chassis No. MBNABAEXPKRL 06662, Engine No. R.K.L. 2 EA No. 604. The Tractor burnt. The local Chaukidar with the help of videography identified the persons. Lastly prayed for legal action against the aforesaid persons.

4. Learned counsel appearing for the petitioner submits that the petitioner has falsely been implicated in the present case. It appears from the FIR that there is no specific allegation of any assault or overt-act attributed against the



petitioner and name of the petitioner has been transpired during investigation on the basis of the disclosure made by local Chaukidar and on the basis of the video footage. There is no specific allegation against the petitioner rather there is general and omnibus allegation against all the accused persons including the petitioner and similarly situated co-accused person, namely, Jailer Pandit has been granted privilege of anticipatory bail by the learned court below itself.

5. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner and submits that the petitioner carries one more case other than the present one, as mentioned in para-3 of the bail petition.

6. Considering the aforesaid facts, there is no specific allegation of any assault or overt-act attributed against the petitioner, name of the petitioner has been transpired during investigation on the basis of the disclosure made by local Chaukidar and on the basis of the video footage and similarly situated co-accused person, namely, Jailer Pandit has been granted privilege of anticipatory bail by the learned court below itself, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the



order, be released on bail on furnishing bail bond of Rs.10,000 (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-IX, Bhojpur at Ara in connection with Tarari P.S. Case No.10 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/ Section 482(2) of the BNSS, 2023 and with other following conditions:-

(I) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(II) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(III) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his/her criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned



order shall not be delayed for purpose of or in the name of
verification.

(Rajesh Kumar Verma, J)

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